

REMARKS

Applicants submit that the present amendment is fully responsive to the Office Action dated March 7, 2008 and, thus, the application is in condition for allowance. Favorable reconsideration of this application in view of the foregoing amendments and remarks to follow is respectfully requested.

By this reply, claims 1 and 12 are amended. Claims 1-17 remain pending. Of these, claims 1 and 12 are independent.

In the outstanding Office Action, claims 1, 2, 4, 6, and 12-15 are rejected under 35 U.S.C. §102(e) as being anticipated by Rosen (U.S. Patent 7,269,256). With regards to independent claim 1, it is alleged that Rosen teaches an electronic money system comprising a settlement terminal for receiving and executing a request for settlement processing with at least one sort of electronic money, a mobile terminal as recited in claim 1, as well as means for accepting an exchange rate inquiry processing from said mobile terminal to transmit an exchange rate between two or more sorts of the electronic money, and means for updating the amount available of the various sorts of the electronic money in said electronic money storage means of said mobile terminal, based on said exchange rate and on said exchange execute request. Applicants respectfully traverse.

As amended, claim 1 recites a adjustment to the exchange rate between said two or more sorts of the electronic money at least including said one sort of the electronic money, wherein the exchange rate is adjusted in dependency upon the exchange amount. Support for this can be found in the specification, sections 0040, 0042, and 0052. Rosen does not disclose this functionality. Notably, although this limitation is similarly described in claim 3 and the

Examiner has not rejected claim 3 under anticipation grounds, the Examiner has rejected claim 13 (dependent on claim 12), which does contain a similar limitation, by citing Rosen, col. 8 lines 14-18. This section of Rosen teaches an electronic note that can be broken into any desired amount; money modules may be of any amount up to the amount stored in the payer's transaction money module. This is not the same as an adjustment to the exchange rate in dependency upon the amount. In fact, the exchange rate is unrelated to the amount stored in the payer's transaction money module.

Furthermore, the Examiner's argument in this section conflicts with the Examiner's obviousness rejection on page 10 of the Official Action, where it is conceded that Rosen fails to explicitly teach the electronic money in terms of the foreign currency in dependency upon the exchange amount. Based on the above rationales, Rosen does not disclose this functionality even in the section cited by the Examiner, thus the anticipation rejection of claim 1 and all dependent claims should be withdrawn.

With regards to claim 12, the Examiner alleges that Rosen teaches all the limitations of claim 12. Applicants respectfully traverse. Rosen does not disclose any of the limitations of independent claim 12. For instance, Rosen does not disclose an exchange rate between said two or more sorts of the electronic money being adjusted in dependency upon the exchange amount. As mentioned herein, the Examiner has rejected claim 13 (dependent on claim 12) under the grounds that Rosen teaches an electronic note that can be broken into any desired amount and money modules that may be made up of any amount up to the amount stored in the payer's transaction module. Again, this is unrelated to an exchange rate adjustment. Rosen does not disclose any such adjustment to the exchange rate. Since Rosen does not

disclose all of the elements of independent claim 12, claim 12 and its dependent claims are not anticipated.

In the outstanding Office Action, claims 3, 5, 11, and 16-17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rosen, in view of Sandhu (U.S. Application 6,347,307). With regard to claim 3, it is alleged that Rosen teaches an electronic money system wherein various sorts of the electronic money include at least the electronic money in terms of “yen” and the electronic money in terms of the foreign currency; said electronic money exchange server(s) changing the exchange rate between the electronic money in terms of “yen”. It is conceded that Rosen fails to explicitly teach the adjusting the exchange rate of the electronic money in terms of the foreign currency in dependency upon the exchange amount. However, it is alleged that Sandhu discloses this limitation. Specifically, the Examiner cites the abstract in Sandhu to support an assertion that Sandhu discloses this functionality. Applicants respectfully traverse.

Neither Sandhu nor Rosen alone or in combination disclose all of the elements of independent claims 1 and 12. The section of Sandu cited by the Examiner teaches “a system and method that enables users to engage in capital market transactions, including the trading of over-the-counter financial products, via the Internet, including a variety of servers, applications, and interfaces that enable users to interactively communicate and trade financial instruments among one another, and to manage their portfolios. See the abstract of Sandhu. Neither this section, nor any part of the specification in Sandhu discloses adjusting the exchange rate of the electronic money in dependency upon the exchange amount. See Sandhu, col. 11, lines 14-20, and col. 12, lines 50-58. It would not have been obvious, as the Examiner alleges, to modify Rosen to include the web-based financial transaction feature of Sandhu.

The elements disclosed in the combination of Rosen and Sandhu do not perform the same function as the present invention as claimed in amended claims 1 and 12. Thus, the obviousness rejections of claims 1, 12, and their dependent claims should be withdrawn.

Since neither of the cited references, alone, or in any combination, disclose all the limitations of claims 1-17, the claims are in condition for allowance. Although applicants have amended the claims in the above manner, applicants are not conceding in this application that the previous listing of claims is not patentable over the art cited by the Examiner. Applicants observe that the above amendments were performed to facilitate expeditious prosecution of the allowable subject matter noted by the Examiner. Applicants reserve the right to pursue these and other claims in one or more continuation and/or divisional applications.

Applicants observe that the above amendments to the claims obviate the rejections raised in the outstanding Office Action. As a consequence thereof, it is firmly believed that the present case is in condition for allowance, which action is earnestly solicited

Respectfully submitted,



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